

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION OF)	
DELMARVA POWER & LIGHT COMPANY,)	
EXELON CORPORATION, PEPSCO HOLDINGS,)	
INC., PURPLE ACQUISITION CORPORATION,)	
EXELON ENERGY DELIVERY COMPANY, LLC)	PSC DOCKET NO. 14-193
AND SPECIAL PURPOSE ENTITY, LLC)	
FOR APPROVALS UNDER THE PROVISIONS)	
OF 26 <i>Del. C.</i> §§ 215 AND 1016)	
(Filed June 18, 2014))	

**PETITION OF SUSTAINABLE ENERGY UTILITY, INC.
FOR LEAVE TO INTERVENE**

Pursuant to 26 *Del. Admin. C.* §2.9 (Public Service Commission Rules of Practice and Procedure), The Sustainable Energy Utility, Inc. petitions for leave to intervene as a party in the above-captioned matter on the following grounds:

1. Petitioner is the Sustainable Energy Utility, Inc., a corporation of the State of Delaware.
2. The attorney for the Petitioner is Francis J. Murphy. His contact information is:

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3. On June 18, 2014, Delmarva Power & Light Company, Exelon Corporation, Pepco Holdings, Inc., Purple Acquisition Corporation, Exelon Energy Delivery Company, LLC, and New Special Purpose Entity filed an application with the Commission seeking approval of a proposed merger under the provisions of 26 *Delaware Code* §§ 215 and 1016. The Commission set July 28, 2014 as the deadline for filing petitions to intervene.

4. The Sustainable Energy Utility, Inc. (“SEU”) is a non-profit corporation created pursuant to 29 *Delaware Code* § 8059 operating throughout the State of Delaware. According to Section 8059(b), the intent of the General Assembly in enacting legislation to create the SEU is as follows:

The General Assembly finds that there remain in Delaware significant, cost-effective opportunities to acquire end-user energy efficiency savings that can lower customers' bills and reduce the environmental impacts of energy production, delivery, and use. Delaware has an opportunity to create new markets for customer-sited renewable energy generation that will help build jobs in Delaware, improve our national security, keep value within the local economy, improve energy reliability, and protect Delawareans from the damaging effects of recurrent energy price spikes.

5. According to Section 8059(g)(1)d.7., the SEU is intended by the General Assembly to “offer ‘one-stop shopping’ and be the point-of-contact for sustainable energy services in Delaware.”

6. The Energy Efficiency Resource Standards Act of 2009, Title 26 of the *Delaware Code* § 1500, further defines the critical role of the SEU in renewable energy in Delaware:

6) The Delaware Sustainable Energy Utility (SEU) combines public funding sources and consumer savings with private sector funds and management skills to provide all Delaware energy users with assistance for all their energy efficiency and renewable energy needs;

(7) The SEU is a critical mechanism for achieving energy conservation and energy efficiency in the State.

7. The SEU operates renewable energy and energy efficiency programs in the State of Delaware. The SEU also manages the Solar Renewable Energy Credit Auction in Delaware. In addition, on July 1, 2014, the Delaware General Assembly passed Senate Bill No. 150 with House Amendment No. 2, which provides, in part, that electric distribution companies and energy providers are to work collaboratively with the SEU to implement energy efficiency, energy conservation, and peak demand reduction programs that are cost-effective, reliable, and feasible.

8. This docket will involve issues related to renewable energy and energy efficiency policy of interest to the SEU. The merger of Delmarva, Pepco Holdings, Inc., Exelon and other related entities will have significant economic and other effects on renewable energy and energy efficiency programs and initiatives. Delmarva holds a unique position in the State of Delaware. The Merger Petition (e.g. pages 17-18) addresses the merged company’s strong interest in energy efficiency, sustainability and the like.

While the SEU recognizes that this is a laudable goal, the SEU's interest is that this activity be undertaken in a manner that is in the best interest of the State of Delaware and Delaware ratepayers.

9. The SEU has a substantial interest in this proceeding given the potential effects on renewable energy and energy efficiency policies and programs in the State of Delaware.

10. The SEU's interests will not be adequately represented by any of the other parties to this proceeding, given the SEU's unique statutory obligations in the areas of renewable energy and energy efficiency. The SEU is charged by law to work with the Delaware Department of Natural Resources and Environmental Control and energy providers to develop rules and regulations to help implement energy efficiency, energy conservation, and peak demand reduction programs that are cost-effective, reliable, and feasible.

11. The SEU's participation will be in the public interest. By law, the public necessarily relies upon the SEU to deliver and promote renewable energy and energy efficiency programs and to assist in the management of renewable energy markets. The SEU brings unique experience and expertise in renewable energy and energy efficiency policy and programs to this proceeding.

WHEREFORE, Petitioner requests that it be granted leave to intervene and participate as a party in this proceeding for all purposes.

Respectfully submitted,

/s/ Francis J. Murphy
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CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2014 I caused the attached **PETITION OF THE SUSTAINABLE ENERGY UTILITY, INC. FOR LEAVE TO INTERVENE** to be served on the persons on the attached service list in the matter indicated thereon.

/s/ Francis J. Murphy
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PSC Docket No. 14-193

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